



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 21 2013

Steven Gibbs
Fulbright and Jaworski
370 Southpointe Blvd
Suite 300
Canonsburg, PA 15317

OFFICE OF
RESEARCH AND DEVELOPMENT

RE: Freedom of Information Act Request EPA-HQ-2013-003086

Dear Mr. Gibbs:

This is in response to your Freedom of Information Act (FOIA) request, identified above, dated January 24, 2013, for documents (including data, results, analyses, reports, and correspondence) related to EPA's "Hydraulic Fracturing Retrospective Case Study" conducted in Southwestern Pennsylvania from January 1, 2011 through January 24, 2013. Your request was assigned to the Agency's Office of Research and Development (ORD), National Risk Management Research Laboratory.

The records responsive to your request are being provided to you electronically and are described in the enclosed Index of Releasable Records (Excel spreadsheet "EPA-HQ-2013-003086_Index of Releasable Records.xlsx"). Portions of some of these documents have been redacted by virtue of FOIA 5 U.S.C. 552 (b) (6) Exemption 6: Personal Privacy.

We are unable to provide the documents that are listed on the enclosed Index of Non-Releasable Records (Word document "EPA-HQ-2013-003086_Index of Non-Releasable Records.docx"). We have determined these documents to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552 (b)(5) Exemption 5: Privileged Inter-Agency or Intra-Agency Memoranda, Deliberative Process Privilege; Predecisional Documents, and Drafts of Documents.

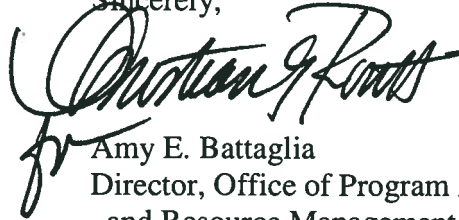
This completes ORD's response to your request. The cost of processing your FOIA case is \$2118.75. In accordance with your assurance of payment, dated February 19, 2013, an itemized invoice covering the charges is enclosed. Please forward your check or money order, made payable to the U.S. Environmental Protection Agency, within 30 days of the date of this response. Your check should refer to the case number referenced above (EPA-HQ-2013-003086) and be accompanied by the top portion of the enclosed Bill for Collection. You may use the on-line system to pay your bill. If you choose to do so, please go to www.pay.gov, follow the instructions, and be sure to insert your FOIA request number so the payment can be applied to the correct charge.

You may appeal this response to the National Freedom of Information Office, U. S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460 (U. S.

Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov or via FOIA online: <https://foiaonline.regulations.gov/foia/action/public/home>. Only items mailed through the U. S. Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20004. Your appeal must be in writing and submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the case number stated above (EPA-HQ-2013-003086). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions concerning this response, please contact Ms. Suzanne Jackson, ORD/NRMRL, (513) 569-7310.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy E. Battaglia". The signature is fluid and cursive, with a large initial "A".

Amy E. Battaglia
Director, Office of Program Accountability
and Resource Management

Enclosures